amend the American Indian Religious Freedom Act to provide for the traditional use of peyote by Indians for religious purposes, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. DE LA GARZA, recognized Mr. RICHARD-SON and Mr. DOOLITTLE, each for 20 minutes.

After debate,

The question being put, viva voce, Will the House suspend the rules and

pass said bill, as amended? The SPEAKER pro tempore, Mr. DE LA GARZA, announced that two-thirds

the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

of the Members present had voted in

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered. That the Clerk request the concurrence of the Senate in said bill.

¶92.32 MOHEGAN NATION OF CONNECTICUT LAND CLAIMS SETTLEMENT

Mr. RICHARDSON moved to suspend the rules and pass the bill (H.R. 4653) to settle Indian land claims within the State of Connecticut, and for other purposes; as amended.

The SPEAKER pro tempore, Mr. DE LA GARZA, recognized Mr. RICHARD-SON and Mr. DOOLITTLE, each for 20

minutes. After debate.

The question being put, viva voce, Will the House suspend the rules and pass said bill, as amended?

The SPEAKER pro tempore, Mr. DE LA GARZA, announced that two-thirds of the Members present had voted in the affirmative.

So, two-thirds of the Members present having voted in favor thereof, the rules were suspended and said bill, as amended, was passed.

A motion to reconsider the vote whereby the rules were suspended and said bill, as amended, was passed was, by unanimous consent, laid on the table.

Ordered, That the Clerk request the concurrence of the Senate in said bill.

¶92.33 D.C. SMALL CLAIMS COURT

On motion of Ms. NORTON, by unanimous consent, the bill (H.R. 1631) to amend title 11, District of Columbia Code, to increase the maximum amount in controversy permitted for cases under the jurisdiction of the Small Claims and Conciliation Branch of the Superior Court of the District of Columbia; together with the following amendment of the Senate thereto, was taken from the Speaker's table:

Senate amendment: Page 1, line 5, strike out "1993" and insert: "1994".

On motion of Ms. NORTON, by unanimous consent, said Senate amendment was agreed to.

A motion to reconsider the vote whereby said Senate amendment was

agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶92.34 RECESS—4:46 P.M.

The SPEAKER pro tempore, Mr. $\ensuremath{\text{DE}}$ LA GARZA, pursuant to clause 12 of rule I, declared the House in recess at 4 o'clock and 46 minutes p.m., until 5 o'clock p.m.

¶92.35 AFTER RECESS—5 P.M.

The SPEAKER pro tempore, Mr. MFUME, called the House to order.

¶92.36 DISTRICT OF COLUMBIA APPROPRIATIONS

Mr. DIXON, pursuant to the order of the House of August 5, 1994, called up the following conference report (Rept. No. 103-671):

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 4649) "making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending September 30, 1995, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 4, 5, 8, 9, 17, 19, and 22.

That the House recede from its disagreement to the amendments of the Senate numbered 10, 13, 14, 24, 25, and 26; and agree to the

Amendment numbered 1:

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$660,000,000; and the Senate agree

Amendment numbered 7:

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$13,632,000; and the Senate agree to the same.

Amendment numbered 16:

That the House recede from its disagreement to the amendment of the Senate numbered 16, and agree to the same with an amendment, as follows:

In lieu of the sum proposed by said amendment insert \$140,000,000; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 3, 6, 11, 12, 15, 18, 20, 21, and 23.

JULIAN C. DIXON, LOUIS STOKES, RICHARD J. DURBIN, MARCY KAPTUR, DAVID E. SKAGGS. NANCY PELOSI, DAVID R. OBEY, JAMES T. WALSH, ERNEST J. ISTOOK, Jr., HENRY BONILLA. JOSEPH M. McDADE,

Managers on the Part of the House.

HERB KOHL. PATTY MURRAY, DIANNE FEINSTEIN. ROBERT C. BYRD, CONRAD BURNS, CONNIE MACK.

MARK O. HATFIELD,

Managers on the Part of the Senate.

When said conference report was considered.

After debate,

On motion of Mr. DIXON, the previous question was ordered on the conference report to its adoption or rejection and, under the operation thereof, the conference report was agreed to.

¶92.37 AMENDMENTS IN DISAGREEMENT— H.R. 4649

The House then proceeded to the consideration of the following amendments of the Senate reported in disagreement numbered 3, 6, 11, 12, 15, 18, 20, 21, and 23.

On motion of Mr. DIXON, the House receded from its disagreement to the amendment of the Senate numbered 3 and concurred therein with the following amendment:

In lieu of the matter proposed in said amendment, insert: ", of which \$1,500,000 shall be used to provide additional support to title I (chapter I) of the Elementary and Secondary Education Act (20 U.S.C. 2701 et seq.) and \$910,000 shall be available for the National Learning Center, Options School (\$750,000) and Model Early Learning Center (\$160,000).

On motion of Mr. DIXON, the House receded from its disagreement to the amendment of the Senate numbered 6 and concurred therein with the following amendment:

In lieu of the matter proposed by said amendment, insert: ": Provided, That the District of Columbia shall provide to the Committee on Appropriations of the House of Representatives and the Senate quarterly reports by the 15th day of the month following the end of the quarter showing how monies provided under this fund are expended with a final report providing a full accounting of the fund due October 15, 1995 or not later than 15 days after the last amount remaining in the fund is disbursed.'

And on page 13, line 9 of the House engrossed bill, H.R. 4649, strike the period at the end of the line.

On motion of Mr. DIXON, the House receded from its disagreement to the amendment of the Senate numbered 11 and concurred therein.

On motion of Mr. DIXON, the House receded from its disagreement to the amendment of the Senate numbered 12 and concurred therein with the following amendment:

In lieu of the matter stricken and inserted by said amendment, insert: "forecast which shall be supported and accompanied by cash forecasts for the general fund and each of the District government's other funds other than the capital projects fund and trust and agency funds;"

On motion of Mr. DIXON, the House receded from its disagreement to the amendment of the Senate numbered 15 and concurred therein with the following amendment:

In lieu of the matter stricken and inserted by said amendment, insert: ";

(5) Explanations of the impact on meeting the budget, how the results may be reflected in a supplemental budget request, or how other policy decisions may be necessary which may required the agencies to reduce expenditures in other areas; and

(6) An aging of the outstanding receivables and payables, with an explanation of how they are reflected in the forecast of cash

receipts and disbursements.

'(c) Reporting on Nonappropriated FUNDS.—Not later than the date on which the Mayor issues the Comprehensive Annual Financial Report of the District of Columbia for the fiscal year ended September 30,1 994, the Mayor shall submit to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on the District of Columbia of the House of Representatives, and the Committee on Governmental Affairs of the Senate a report on all revenues and expenditures of the general fund of the District that are characterized as nonappropriated in the Comprehensive Annual Financial Report. The report required by this subsection shall include the following information for each category of nonappropriated funds:

The source of revenues;

"(2) The object of the expenditures;

"(3) An aging of outstanding accounts re-

ceivable and accounts payable;

'(4) The statutory or other legal authority under which such category of funds may be expended without having been appropriated as part of the District's annual budget and appropriations process;

(5) The date when such category of funds was first expended on a nonappropriated

basis;
"(6) The policy or rationale for why the revenues and expenditures for such funds should not be part of the District's annual budget and appropriations process; and

(7) A reconciliation of the amounts reported under this subsection with the amounts characterized as nonappropriated in the Comprehensive Annual financial Report"

On motion of Mr. DIXON, the House receded from its disagreement to the amendment of the Senate numbered 18 and concurred therein with the following amendment:

Delete the matter inserted by said amendment.

On page 34, line 7 of the House engrossed bill, H.R. 4649, after the word "Mayor" insert "of the District of Columbia"

On page 34, line 14 of the House engrossed

bill, H.R. 4649, strike "Flow Statements" and insert in lieu thereof "Forecasts". On page 34, line 16 of the House engrossed

bill, H.R. 4649, strike all after "include" down through and including "the" on line 18 and insert in lieu thereof "revisions to the forecasts reported in accordance with subsection (b) of section 137 of this Act that incorporate the

On page 34, line 4 of the House engrossed bill, H.R. 4649, strike "Congress" and insert in lieu thereof "Committees on Appropriations of the House of Representatives and the Senate, the Committee on the District of Columbia of the House of Representatives, and the Committee on Governmental Affairs of the Senate

On page 34, line 11 of the House engrossed bill, H.R. 4649, strike "Congress" and insert in lieu thereof "Committees on Appropriations of the House of Representatives and the Senate, the Committee on the District of Columbia of the House of Representatives, and the Committee on Governmental Affairs of the Senate'

On motion of Mr. DIXON, the House receded from its disagreement to the amendment of the Senate numbered 20 and concurred therein with the following amendment:

Restore the matter stricken by said amendment.

On page 35 of the House engrossed bill, H.R. 4649, strike all after line 3 through and including line 24.

On page 36 of the House engrossed bill, H.R. 4649, strike lines 1 through 8 and insert in lieu thereof the following:

(b) ANNUAL LIMITATION ON DISBURSE-MENTS -

(1) AGGREGATE LIMITATION.—The total disbursements and net payables of the government of the District of Columbia from the funds covered by paragraph (2) during fiscal year 1995 shall not exceed the total receipts collected by the government and available for such funds during fiscal year 1995.

(2) INDIVIDUAL FUND LIMITATIONS. The disbursements and net payables of the government of the District of Columbia from the general fund and from each of the government's other funds not covered by paragraph (3) during fiscal year 1995 shall not exceed the receipts collected by the government and available for the general fund and for each such fund during fiscal year 1995.

(3) CAPITAL PROJECTŠ, TRUST AND AGENCY FUNDS LIMITATIONS.—The disbursements and net payables of the government of the District of Columbia from each of the government's capital projects, trust and agency funds during fiscal year 1995 shall not exceed the total of the cash available to each such fund at the beginning of fiscal year 1995 plus the receipts of each such fund during fiscal year 1995.

(c) Enforcement.—

(1) PLACEMENT IN ESCROW OF PORTION OF AN-NUAL FEDERAL PAYMENT.—Upon receipt of the annual Federal payment for fiscal year 1996 authorized by sections 502(a) or 503 of the District of Columbia Self-Government and Governmental Reorganization Act or made pursuant to any other provision of law authorizing a Federal payment to the general fund of the District of Columbia for fiscal year 1996, the Mayor of the District of Columbia shall place in escrow-

(A) 10 percent of the Federal payment, for purposes of enforcement of subsection (a);

(B) an additional 10 percent of the Federal payment, for purposes of enforcement of subsection (b)(1).

(2) AVAILABILITY OF ESCROWED AMOUNTS.— No portion of the funds placed in escrow under paragraph (1) of this subsection shall be available for use by the government of the District of Columbia until the Mayor submits to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on the District of Columbia of the House of Representatives, and the Committee on Governmental Affairs of the Senate two reports, each certified by an independent public accountant, on (A) the spending reductions required by subsection (a) of this section, and (B) the disbursements, net payables, and receipts covered by paragraph (1) of subsection (b) of this section. In no event shall the reports required by this paragraph be submitted later than the date on which the Mayor issues the Comprehensive Annual Financial Report of the District of Columbia for the fiscal year ended September 30, 1995.

(3) AMOUNT OF ESCROWED FUNDS AVAIL-ABLE.-Fifteen days after submitting the reports required by paragraph (2), the funds placed in escrow under paragraph (1) shall be available for use by the government of the District of Columbia only if-

(A) the Mayor pays to the Treasury of the United States the sum of-

(i) the amount (if any) by which the actual reduction implemented under subsection (a) fails to achieve the reduction made by paragraph (1) of such subsection; and

(ii) the amount (if any) by which the disbursements and net payables described in subsection (b)(1) exceed the receipts described in such subsection; and

(B) such payment is made by the Mayor within such fifteen-day period from the escrowed funds or, if such escrowed funds are insufficient, from other funds available to the government of the District.

- VIOLATION REPORTS.—Not later than the date on which the Mayor issues the Comprehensive Annual Financial Report of the District of Columbia for the fiscal year ended September 30, 1995, the Mayor, Deputy Mayor for Financial Management, and Controller shall jointly submit to the Committees on Appropriations of the House of Representatives and the Senate, the Committee on the District of Columbia of the House of Representatives, and the Committee on Governmental Affairs of the Senate a separate report on each fund described in paragraphs (2) and (3) of subsection (b) of this section that violated the limitation applicable to the fund. Each report shall contain, but not be limited to-
 - (1) the amount of the violation;

(2) an analysis of the difference between budgeted and actual disbursements, payables, and receipts for fiscal year 1995;

(3) an explanation of policies, events, or other factors that caused or contributed to the violation;

(4) actions taken or to be taken against government officials or employees for causing or contributing to the violation; and

(5) actions taken or to be taken to prevent recurrence of the violation in fiscal year

(e) Definitions.—For purposes of this section-

(1) the term "net payables" means the difference in the amount of payables for a fund at the beginning of a fiscal year and the amount of such payables for such fund at the

end of the fiscal year;
(2) the term "payables" means accounts payables and compensation payables; and

(3) the terms ''disbursements'', "accounts payables", "compensation payables", "receipts", "capital projects fund", "trust funds" and "agency funds" shall have the same meaning as such terms had for purposes of the Comprehensive Annual Financial Report of the District of Columbia for the fiscal year ended September 30, 1993.

On motion of Mr. DIXON, the House receded from its disagreement to the amendment of the Senate numbered 21 and concurred therein with the following amendment:

Restore the matter stricken by said amendment and delete the matter inserted by said amendment, and on page 36 of the House engrossed bill, H.R. 4649, strike lines 9 through 11.

On motion of Mr. DIXON, the House receded from its disagreement to the amendment of the Senate numbered 23 and concurred therein with the following amendment:

In lieu of matter proposed in said amendment, insert:

LIMITATIONS ON FULL-TIME EQUIVALENT POSITIONS

SEC. 141. (a) REDUCTION.—The total number of full-time equivalent positions financed from District of Columbia appropriated funds shall not exceed 33,588.

(b) Monitoring and Notification.—The Mayor of the District of Columbia shall— $\,$

- (1) regularly monitor the total number of full-time equivalent positions financed from District of Columbia appropriated funds and make a determination on the first date of each quarter of the fiscal year of whether the requirements under subsection (a) are met; and
- (2) notify the Committees on Appropriations of the House of Representatives and the Senate, the Committee on the District of Columbia of the House of Representatives

and the Committee on Governmental Affairs of the Senate on the first day of each quarter of the fiscal year of the determinations made

under paragraph (1).

SEC. 142. (a) IN GENERAL.—The Secretary of the Army, acting through the Chief of Engineers, shall conduct a study of the Washington Aqueduct. The study shall be conducted in consultation with the Environmental Protection Agency, the Office of Management and Budget, and the non-Federal public water supply customers of the Washington Aqueduct

(b) STUDY CONTENTS.—The study required by subsection (a) shall include analyses of—
(1) the current condition of the Washington

Aqueduct:

(2) the operation and maintenance activities and capital improvements required at the Washington Aqueduct facility to ensure the availability of an uninterruptible supply of potable drinking water sufficient to meet the current and future needs of the District of Columbia and its environs;

(3) alternative methods of financing such operation and maintenance activities and

capital improvements; and

(4) alternative arrangements for ownership of the Washington Aqueduct facility, including the operation of establishing a non-Federal regional water authority and transferring ownership and operating responsibility from the Department of the Army to such regional authority or to another appropriate non-Federal entity.

(c) REPORT.-Not later than February 1, 1995, the Secretary of the Army, acting through the Chief of Engineers, shall submit to the Congress a report setting forth the findings of the study required by subsection (a) and any recommendations as a result of the findings. The report shall include a recommendation on the advisability of establishing a non-Federal regional water authority and transferring ownership of and operating responsibility for the Washington Aqueduct facility from the Department of the Army to such regional authority.

(d) DEFINITION.—For purposes of this section, the term "non-Federal public water supply customers of the Washington Aquemeans the District of Columbia, Arlington County, Virginia, and the City of

Falls Church, Virginia.

ANNUAL BOARD OF EDUCATION REPORT AND BUDGET REVISION

SEC. 143. (a) ANNUAL REPORT ON POSITIONS AND EMPLOYEES.-Hereafter, the Board of Education of the District of Columbia shall annually compile on accurate and verifiable report on the positions and employees in the public school system of the District. The first such annual report shall be verified by independent auditors.

(b) REQUIRED CONTENTS OF ANNUAL RE-PORT.—The annual report required by sub-

section (a) shall set forth-

(1) the number of validated schedule A positions in the public school system of the District of Columbia for the following fiscal year on a full-time equivalent basis, including a compilation of all positions by control center, responsibility center, funding source, position type, position title, pay plan, grade, and annual salary; and

(2) a compilation of all employees in the public school system of the District of Columbia as of the preceding December 31, verified as to its accuracy in accordance with the functions that each employee is actually performing, by control center, responsibility center, agency reporting code, program (including funding source) activity, location for accounting purposes, job title, grade and classification, annual salary, and position control number.

(c) SUBMISSION OF ANNUAL REPORT.-

(1) FIRST REPORT.—The first annual report required by subsection (a) shall include the information required by subsection (b)(1) for each of the fiscal years 1993, 1994, and 1995, and shall be submitted to the Congress, and to the Mayor and Council of the District of Columbia, by not later than October 1, 1994.

(2) SUBSEQUENT REPORTS.—Except as provided in paragraph (1), the annual report required by subsection (a) shall be submitted to the Congress, and to the Mayor and Council of the District of Columbia, by not later than April 15 of each year.

(d) Annual Budget Revision.-

(1) IN GENERAL —Not later than October 1 1994 and each succeeding year or within 15calendar days after the date of the enactment of the District of Columbia Appropriations Act for the fiscal year beginning on such October 1 (whichever occurs first), the Board of Education of the District of Columbia shall submit to the Congress, and to the Mayor and Council of the District a revised appropriated funds operating budget for the public school system of the District for such fiscal year that is in the total amount of the approved appropriation and that realigns budgeted data for personal services and other-than-personal services, respectively, with anticipated actual expenditures

(2) REQUIRED FORMAT.—The revised budget required by paragraph (1) shall be submitted in the format of the budget that the Board of Education of the District of Columbia submits to the Mayor of the District for inclusion in the Mayor's budget submission to the Council of the District pursuant to section 442 of the District of Columbia Self-Government and Governmental Reorganization Act (Public Law 93-198: D.C. Code, sec. 47-301).

A motion to reconsider the votes whereby the foregoing conference report and motions were agreed to was, by unanimous consent, laid on the table.

Ordered, That the Clerk notify the Senate thereof.

¶92.38 H.R. 4545 —UNFINISHED BUSINESS

The SPEAKER pro tempore, Mr. MFUME, pursuant to clause 5, rule I, announced the unfinished business to be the motion to suspend the rules and pass the bill (H.R. 4545) to amend the Federal Railroad Safety Act of 1970, and for other purposes; as amended.

The question being put,

Will the House suspend the rules and pass said bill, as amended?

The vote was taken by electronic de-

It was decided in the Yeas 395 affirmative Nays

¶92.39[Roll No. 379] YEAS-395

Bateman

Bentley Abercrombie Calvert Ackerman Bereuter Camp Allard Canady Berman Andrews (ME) Cantwell Bevill Andrews (NJ) Bilbray Cardin Andrews (TX) Bilirakis Carr Castle Applegate Bishop Archer Bliley Chapman Blute Armey Clay Clayton Bacchus (FL) Boehlert Bachus (AL) Boehner Clement Clinger Clyburn Baesler Bonior Baker (CA) Borski Ballenger Boucher Coble Barca ${\bf Brooks}$ Coleman Collins (GA) Brown (CA) Barcia Brown (FL) Collins (IL) Barrett (NE) Collins (MI) Combest Brown (OH) Barrett (WI) Bryant Bartlett Bunning Condit Barton Buyer Convers

Costello Cox Coyne Cramer Crane Crapo Cunningham Darden de la Garza Deal DeLauro DeLay Dellums Deutsch Diaz-Balart Dickey Dicks Dingell Dooley Doolittle Dornan Dreier Duncan Dunn Durbin Edwards (CA) Edwards (TX) Ehlers Emerson Engel English Evans Everett Fawell Fazio Fields (LA) Fields (TX) Filner Fingerhut Fish Flake Foglietta Ford (MI) Ford (TN) Fowler Frank (MA) Franks (CT) Franks (NJ) Frost Furse Gallegly Geidenson Gephardt Geren Gibbons Gilchrest Gillmor Gilman Gingrich Glickman Gonzalez Goodlatte Goodling Gordon Goss Grams Grandy Green Greenwood Gunderson Gutierrez Hall (OH) Hall (TX) Hamburg Hamilton Hancock Hansen Harman Hastert Hastings Hayes Hefner Herger Hilliard Hinchev Hoagland Hobson Hoekstra Hoke Holden Horn Houghton Hoyer Huffington

Hunter Hutchinson Hutto Hyde Inslee Istook .Jacobs Jefferson Johnson (CT) Johnson (GA) Johnson (SD) Johnson, E. B. Johnson, Sam Johnston Kanjorski Kaptur Kennedy Kennelly Kildee Kim King Kingston Kleczka Klein Klink Klug Knollenberg Kolbe Kopetski Kreidler Kyl LaFalce Lambert Lancaster Lantos LaRocco Laughlin Lazio Leach Levin Levy Lewis (CA) Lewis (FL) Lewis (GA) Lewis (KY) Linder Lipinski Livingston Llovd Long Lowey Lucas Maloney Mann Manton Manzullo Margolies-Mezvinsky Markey Martinez Matsui Mazzoli McCandless McCloskey McCollum McCrery McDade McDermott McHale McHugh McInnis McKeon McMillan McNulty Meek Menendez Meyers Mfume Mica Miller (CA) Miller (FL) Mineta Minge Mink Moakley Molinari Mollohan Montgomery Moorhead Moran Morella Murphy Murtha Myers Nussle Oberstar Olver Ortiz

Oxley Packard Pallone Parker Pastor Paxon Payne (NJ) Payne (VA) Pelosi Penny Peterson (FL) Peterson (MN) Petri Pickett Pombo Pomerov Porter Portman Poshard Price (NC) Quillen Quinn Řahall Ramstad Reed Regula Richardson Roberts Roemer Rogers Rohrabacher Ros-Lehtinen Rostenkowski Roth Roukema Rowland Roybal-Allard Royce Sabo Sanders Sangmeister Sarpalius Sawyer Saxton Schenk Schiff Schroeder Schumer Scott Sensenbrenner Serrano Sharp Shaw Shays Shepherd Shuster Sisisky Skaggs Skeen Skelton Slattery Slaughter Smith (IA) Smith (MI) Smith (NJ) Smith (OR) Smith (TX) Snowe Solomon Spence Spratt Stark Stearns Stenholm Stokes Strickland Studds Stump Stupak Sundquist Swett Swift Synar Talent Tanner Tauzin Taylor (MS) Taylor (NC) Tejeda Thomas (CA) Thomas (WY) Thompson Thornton Thurman Torkildsen Torres Torricelli Towns Traficant

Cooper

Coppersmith

Hughes

Orton

Tucker

Byrne

Callahan